

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

1.66 ACRES OF LAND, MORE OR  
LESS, SITUATE IN STARR COUNTY,  
STATE OF TEXAS; AND DAVID  
GUERRA, ET AL.,

*Defendants.*

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CASE NO. 7:08-cv-063

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**UNITED STATES' RESPONSE TO THE DISTRICT COURT'S ORDER FOR A CASE  
STATUS UPDATE**

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**COMES NOW** the United States of America (hereinafter "United States"), and in response to the District Court's October 17, 2018, Order to inform the Court on the status of the case.

The United States initiated this proceeding with the filing of a declaration of taking and complaint on February 8, 2008. [Doc. Nos. 1 & 2]. The United States deposited estimated just compensation of \$100 into the registry of the Court on March 14, 2008, and the deposit caused title to certain interests in real property to vest in the United States by operation of the Declaration of Taking Act, 40 U.S.C. § 3114.

On April 7, 2008, the United States amended its complaint to identify additional potentially interested parties. [Doc. No. 9].

On November 2, 2012, the United States moved the Court to consolidate Case No. 7:08-cv-326 into Case No. 7:08-cv-063. [Doc. No. 18]. The consolidation was necessary to more efficiently resolve takings with common ownership.

The takings were originally identified as a) Tract RGV-RGC-1008E, a temporary work area easement of approximately 2.52 acres, (b) Tract RGV-RGC-1010E, a second temporary work area easement of approximately 0.38 acres, and (c) Tract RGV-RGC-1010, approximately 1.66 acres of fee interest. These tract numbers may change when the United States amends its declaration of taking. A map of the area is below:



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The United States is in the process of determining what additional land, if any, the United States will need to take from owners who are part of this proceeding. The United States intends to address the additional takings in this case in order to streamline the process.

Dated: November 9, 2018.

Respectfully submitted,

RYAN K. PATRICK,  
United States Attorney

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**Attorneys for the United States of  
America**

**Certificate of Service**

The undersigned certifies that he served the foregoing Status Report on the parties remaining in this case on November 9, 2018, by first-class U.S. mail, postage prepaid.

*s/ Richard A. Kincheloe*

Richard A. Kincheloe

Assistant United States Attorney